

## **FISCAL NOTE**

TO: Chief Clerk of the Senate  
Chief Clerk of the House

FROM: James A. Davenport, Executive Director

DATE: March 9, 1995

SUBJECT: **HB 127 - SB 1382**

This bill, if enacted, will lower blood alcohol content for first time offenders from .10% to .08% by which it is a presumption that the driver of a motor vehicle is intoxicated and that his ability to drive is impaired. Currently, blood alcohol content of .08% creates a presumption for those offenders with at least one previous DUI conviction.

The fiscal impact from enactment of this bill is estimated to be an increase in second year state revenues of \$59,500 which assumes 3,500 additional drivers will be convicted for DUI each year under the provisions of this bill and 25% will obtain restricted licenses in the second and succeeding years. This amount represents the issuance of a restricted license at \$68 for approximately 875 persons.

Enactment of this bill is also estimated to result in an increase in first year local government revenues from DUI fines of \$350 or more levied and collected, and an increase in first year local government\* expenditures from incarcerating a convicted driver in a county jail at a cost of approximately \$39 per day. The estimated increase in first year local government revenues and expenditures cannot be reasonably

determined but is estimated to exceed \$500,000 in revenues and \$300,000 in expenditures.

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Davenport, Executive Director

\*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*